

REMARKS

In the non-final Office Action issued May 2, 2006, claims 4 and 19 were rejected under 35 U.S.C. §112, ¶2, as being indefinite. Claims 1, 3, 4, 6-12, 14, 15, and 18-20 were rejected under 35 U.S.C. §102(b) as being anticipated by Kothuri et al. (U.S. Patent No. 6,381,605).

Claims 1, 3-4, 6-12, 14-16, and 18-20 are now pending in this application. Claims 1, 6, 14, and 18-20 have been amended to more clearly describe what the applicant deems as the invention. Claim 4 and 19 have been amended in order to correct the rejection under U.S.C. §112, ¶2.

The applicant respectfully submits that the present invention, according to claims 1, 3-4, 6-12, 14-16, and 18-20 is not anticipated by Kothuri et al. Kothuri disclose a method and system for indexing and storing multidimensional data. The index is created by recursively storing data items in leaf nodes having specified fanouts. The intermediate nodes and the root node is created after the leaf nodes have been created. See Abstract. An entry can be added to the index by traversing the index from the root node to determine the appropriate leaf node in which to add the entry.

Regarding claims 1, 3-4, 6-12, 18, and 19, the present invention, for example, according to claim 1 requires selecting subsets of the index that overlap if the entries are inserted into the subsets of the index. The subsets are sibling of one another and are not leaf nodes. Chen does not disclose or suggest adding entries to nodes that are not leaf nodes. Rather, Kothuri merely adds entries to the R-tree by traversing the R-tree from the root node and selecting the leaf node that creates the least overlap. Nowhere does Kothuri et al. disclose or suggest inserting/adding entries at nodes that are not leaf nodes. Accordingly, Kothuri et al fail to teach or suggest the invention claimed by claim 1, and claims 6, 14 and 18-20 that recite limitations similar to claim 1 for the same reasons discussed with respect to claim 1. Therefore, the present invention according to claims 3-4, 6-12, which depend from claim 1, and claims 6, and 18-20 which recite limitations similar to claim 1, is not anticipated by Kothuri et al.

Each of the claims now pending in this application is believed to be in form for allowance. Accordingly, favorable reconsideration of this case and early issuance of the Notice of Allowance are respectfully requested.

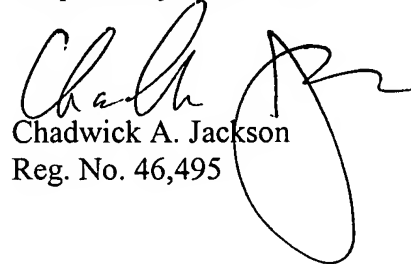
Additional Fees:

The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with this application to Deposit Account No. 19-5127 (19111.0247).

Conclusion

In view of the foregoing, all of the Examiner's rejections to the claims are believed to be overcome. The Applicants respectfully request reconsideration and issuance of a Notice of Allowance for all the claims remaining in the application. Should the Examiner feel further communication would facilitate prosecution, he is urged to call the undersigned at the phone number provided below.

Respectfully Submitted,



Chadwick A. Jackson
Reg. No. 46,495

Dated: November 2, 2006

Bingham McCutchen LLP
3000 K Street, N.W., Suite 300
Washington, D.C. 20007
(202) 424-7500